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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,991	07/09/2001	Christian Schmidt	MFA-13502/04	6873
7590 01/09/2006 Gifford, Krass, Groh, Sprinkle, Anderson & Citkowski, P.C. Suite 400 280 N. Old Woodward Ave. Birmingham, MI 48009			EXAMINER CERVETTI, DAVID GARCIA	
			ART UNIT 2136	PAPER NUMBER
DATE MAILED: 01/09/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/900,991

Applicant(s)

SCHMIDT ET AL.

Examiner

Firas Alomari

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 5 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3. The term "batch format" in claims 5 and 12 is a relative term which renders the claim indefinite. The term "batch format" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-13 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman et al. US (5,758,324), and further in view of Smith et al. US (6,192,407).

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As to claim 1 and 8: Hartman discloses a system for communicating data between a user and a receiver over a telecommunication network, said data relating to filing information for application(s) relating to the protection of intellectual property, said system comprising:

- means for initially registering the user to communicate application data over the network to the receiver, (Col 10, lines 48-51)
- means for receiving data transmitted over the telecommunication network by the user, said data relating to the intellectual property application, (Col 11, lines 23-65)
- means verifying the completeness of the transmitted data from the user, and (Col 6, lines 8-14; mandatory fields in Hartman system guarantee the completeness of submitted application)
- Hartman didn't explicitly explain means for communicating over the telecommunication network receipt of the verified data to the user.

However Smith al. teaches the using of "Notify on Receipt" option (Col 13, lines 19-32). Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teaching of Smith to notify the reception of the data. One would be motivated to do so in order to confirm delivery when the data is actually received

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As to claim 2 and 9: Hartman discloses the system as defined in claim 1 wherein said registering means further comprises means for receiving a user selected password from the user over the telecommunication network, and means for storing said password. (Col 10, lines 47-51 and Col 11, lines 36-50; the examiner is deeming this to be inherent to Hartman system as it would be incapable of verifying the clients passwords without storing the password in some form)

As to claim 3 and 10: Hartman discloses the system as defined in claim 1 wherein said telecommunication network comprises the World Wide Web. (Col 6, lines 1-5)

As to claim 4 and 11: Hartman discloses the system as defined in claim 1 wherein said communication means comprises the means for transmitting an electronic message from the receiver to the user over the network. (Col 5, lines 1-24)

As to claim 5 and 12: Hartman discloses the invention as defined in claim 1 wherein said receiving means comprises means for receiving the data in batch format. (Col 5, lines 40-60; Hartman system shows plurality of data fields the are sent to the server in one HTML form )

As to claim 6 and 13: Hartman discloses the invention as defined in claim 1 wherein said receiving means comprises means for receiving an attached

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document in conjunction with the data transmitted to the receiver. (Col 6, lines 15-40)

As to claim 7 and 18: Hartman discloses the invention as defined in claim 1 wherein said receiving means comprises means for receiving an attached document in electronic form in conjunction with the data transmitted to the receiver. (Col 6, lines 48-59)

As to claim 15: Hartman discloses a system for communicating data between a user and a receiver over a telecommunications network, said data relating to filing information for application(s) relating to the protection of intellectual property, said system comprising:

- means for receiving data transmitted over the telecommunication network by the user, said data relating to the intellectual property application and containing information relating to a variable number of data entries for a data item, ( Col 5, lines 32-65; Hartman disclose an application form has various sections and each section has different fields like name, address, phone and email address)
- means for the receiver to transmit a data entry form over the telecommunication network to the user reflecting said number of data entries for said data item, ( Col 6, lines 48-58)

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- means verifying the completeness of the transmitted data from the user, and (Col 6, lines 8-14; mandatory fields in Hartman system guarantee the completeness of submitted application)
- Hartman didn't explicitly explain means for communicating over the telecommunication network receipt of the verified data to the user.

However Smith al. teaches the using of "Notify on Receipt" option (Col 13, lines 19-32). Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teaching of Smith to notify the reception of the data. One would be motivated to do so in order to confirm delivery when the data is actually received.

As to claim 16: Hartman discloses the system as defined in claim 15 wherein said data item comprises applicant identification data. (Col 10, lines 47-51)

As to claim 17: Hartman didn't explicitly explain the system as defined in claim 15 wherein said data item comprises application priority data. However Smith al. teaches the using of the file date as a store-defined attributes in the system store (Col 4, lines 54-63). Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teaching of Smith to include the date of the file in the application data item. One would be motivated to do so in order to enable the system to synchronize the work with very limited knowledge of other factors)

6. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hartman et al. US(5,758,324) and Smith et al. US(6,192,407) as applied to claim 1 above, and further in view of Light et al US(6,192,380).

As to claim 14: A system for communicating data between a user and a receiver over a telecommunications network, said data relating to filing information for application(s) relating to the protection of intellectual property, said system comprising:

- means for receiving data transmitted over the telecommunication network by the user, said data relating to the intellectual property application, (Col 11, lines 23-65)
- Hartman didn't explicitly explain means for communicating over the telecommunication network receipt of the data to the user. However Smith al. teaches the using of "Notify on Receipt" option (Col 13, lines 19-32). Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teaching of Smith to notify the reception of the data. One would be motivated to do so in order to confirm delivery when the data is actually received.
- The combination of Hartman and smith didn't explicitly explain means for storing frequently used data at the receiver, said frequently used data being subsequently accessible by key word by the user. However Light et



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al. teaches the using of a database to store frequently used data (Col 4, lines 25-37) and the using of web tags or keyword to retrieve the field from the database and placing it in the form (Col 5, line 50 through Col 6, line 8) to automatically fill in web pages. Therefore, it would be obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Hartman with the teaching of Light to automatically fill in web pages. One would be motivated to do so in order to save time and make it easier for the user to fill web pages with appropriate information automatically.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firas Alomari whose telephone number is (571) 272-7963. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, AYAZ SHEIKH can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
AV 2131 115106  
Firas Alomari  
Examiner  
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